

UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

WEST VIRGINIA

UNITED STATES OF AMERICA

EXHIBIT AND WITNESS LIST

V.

GARY SAWYERS

Case Number: 5:23-CR-00125

PRESIDING JUDGE Frank W. Volk					PLAINTIFF'S ATTORNEY Josh Hanks, Brian Parsons	DEFENDANT'S ATTORNEY David Bungard, Emily Szopinski
TRIAL DATE (S) 5/19/25-5/27/25					COURT REPORTER Cathy Schutte-Stant	COURTROOM DEPUTY Tabitha Jarrell
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
X		5/19/2025			Govt Witness 1: Samuel Aaron Ward	
31		5/19/2025	X	X	Overhead Image from Vehicle Slides	
3		5/19/2025	X	X	Camp Layout	
1		5/19/2025	X	X	Photo of Def. laying on ground w/GSW	
41		5/19/2025	X	X	Model M-4 Rifle	
	6	5/19/2025	X	X	Photo of front gate at FOB RoughRide	
	7	5/19/2025	X	X	Photo of guard shack at front gate at FOB RoughRide	
X		5/19/2025			Govt Witness 2: Jason Scarbro - Video Deposition Testimony	
2		5/19/2025	X	X	Photo – Medevac Helicopter	
X		5/20/2025			Govt Witness 3: Randall Carpenter, Jr.	
7		5/20/2025	X	X	Photo of multi-tool from MOI	
X		5/20/2025			Govt Witness 4: Daniel Cottrill, Jr.	
X		5/20/2025			Govt Witness 5: Michael Chad Cummings	
X		5/20/2025			Govt Witness 6: Kenneth Blevins, Jr.	
6		5/20/2025	X	X	Selected Pages from Maintainer Manual	
39		5/20/2025	X	X	7 Pages from 15-6 Report depicting modified parts	
40		5/20/2025	X	X	Equipment Inspection and Maintenance Worksheet	
X		5/21/2025			Govt Witness 7: Juan Sanin Prieto	
8		5/21/2025	X	X	Form DD-216 ROI Line of Duty	
X		5/21/2025			Govt Witness 8: Thomas Hughes	
	27	5/21/2025	X	X	April 19, 2004 Appointment of 15-6 Officer	
X		5/21/2025			Govt Witness 9: Gregory Wilcoxon	

* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

EXHIBIT AND WITNESS LIST – CONTINUATION

UNITED STATES OF AMERICA vs. GARY SAWYERS					CASE NO. 5:23-CR-00125
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
X		5/21/2025			Govt Witness 10: Thomas Tolley - Video Deposition Testimony
4		5/21/2025	X	X	NCO Evaluation Report March '03 to October '03
5		5/21/2025	X	X	NCO Evaluation Report Nov '03 to Oct. '04
	8	5/21/2025	X	X	Gary Sawyer WVANG Evaluation (2 pgs.)
X		5/21/2025			Govt Witness 11: Sheila Floyd
42		5/21/2025	X	X	VA Percentage Matrix
29		5/21/2025	X	X	Calculation Sheet
38		5/21/2025	X	X	VHA Loss Sheet
	17	5/21/2025	X	X	July 3, 2007 VA Rating Decision (3 pgs.)
	18	5/21/2025	X	X	May 13, 2020 VA Rating Decision (5 pgs.)
	19	5/21/2025	X	X	March 1, 2022 VA Rating Decision (5 pgs.)
X		5/21/2025			Govt Witness 12: Juan Sanin Prieto (recalled)
37		5/21/2025	X	X	VA Records Certification
9		5/21/2025	X	X	Aeromedical Evacuation Patient Record 2004.04.20
10		5/21/2025	X	X	Post Deployment Health Assessment Tool 2004.04.27
11		5/21/2025	X	X	Consultant Progress Note 2004.04.27
12		5/21/2025	X	X	WR Consultation Psych Clinic Note 2004.05.24
13		5/21/2025	X	X	WR Psych Baseline Interview 2004.07.06
14		5/21/2025	X	X	Chronological Record of Medical Care 2004.07.09
17		5/21/2025	X	X	WR Psych Clinic Note 2004.09.07
20		5/21/2025	X	X	Beckley VA Walk-In Clinic Consultation Sheet 2004.10.12
21		5/21/2025	X	X	Chronological Record of Medical Care 2004.10.27
22		5/21/2025	X	X	Chronological Record of Medical Care 2004.11.23
23		5/21/2025	X	X	WAMC Ft Bragg Consult 2006.03.09
24		5/21/2025	X	X	Statement of Medical Exam and Duty Status 2004.05.20
25		5/21/2025	X	X	Statement of Medical Exam and Duty Status 2004.11.19
26		5/21/2025	X	X	Purple Heart Order 2004.05.03

EXHIBIT AND WITNESS LIST – CONTINUATION

UNITED STATES OF AMERICA vs. GARY SAWYERS					CASE NO. 5:23-CR-00125
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
27		5/21/2025	X	X	Purple Heart Award 2004.05.03
28		5/21/2025	X	X	Application for Compensation 2007.03.06
	37	5/22/2025	X	X	WVANG Business Records Affidavit (2 pgs.)
	29	5/22/2025	X	X	May 3, 2004 Order for Purple Heart
	10	5/22/2025	X	X	March 17, 2005 Line of Duty Determination (2 pgs.)
	11	5/22/2025	X	X	March 12, 2007 Physical Evaluation Board (3 pgs.)
	12	5/22/2025	X	X	April 20, 2007 Physical Disability Information Report
	13	5/22/2025	X	X	April 23, 2007 Order to Gary Sawyers (2 pgs.)
	14	5/22/2025	X	X	DD214 Form for Gary Sawyers
	46	5/22/2025	X	X	Defendant's Response to the Government's Reciprocal Discovery Requests
X		5/22/2025			Govt Witness 13: Johnathan Rode
2		5/22/2025	X	X	Photo – Medevac Helicopter
	X	5/22/2025			Def Witness 1: Christina Sawyers
	45	5/22/2025	X		Transcript of Christina Sawyers Video Deposition (not to jury)
32		5/22/2025	X	X	Video Deposition of Jason Scarbro (not to jury)
32a		5/22/2025	X	X	Transcript of Video Deposition of Jason Scarbro (not to jury)
33		5/22/2025	X	X	Video Deposition of Thomas Tollley (not to jury)
33a		5/22/2025	X	X	Transcript of Video Deposition of Thomas Tollley (not to jury)
	1	5/22/2025	X	X	Photo of outer portion of protective vest
	2	5/22/2025	X	X	Photo of inner pocket of protective vest
	3	5/22/2025	X	X	Photo of front ceramic armor plate
	4	5/22/2025	X	X	Photo of front ceramic armor plate
	5	5/22/2025	X	X	Photo of front ceramic armor plate
	X	5/22/2025			Def Witness 2: Gary Sawyers
	24	5/22/2025	X	X	Photo of Gary Sawyers (May 1, 2024)
	25	5/22/2025	X	X	Photo of Front Ceramic Plate
	26	5/22/2025	X	X	Exhibit No. 26 – Photo of Front Ceramic Plate

